

## REMARKS

In view of the following remarks it is respectfully submitted that all of the presently pending claims are allowable and reconsideration is respectfully requested.

### **Status of the Claims**

Claims 25 to 60 are pending in the present application. Claims 1 to 24 were cancelled, without prejudice, by previous amendment.

### Rejections under 35 U.S.C. §§ 102 and 103

Claims 25 to 34, 53 and 55 to 60 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,256,507 ("Lemieux"). Claims 40, 41, 43 and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux and U.S. Patent No. 6,236,623 ("Read"). Claims 52 and 54 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux and U.S. Patent No. 6,157,957 ("Berthaud"). Claims 44, 46-49 and 51 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux, Read and Berthaud. Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux, Read and non patent literature cited in the IDS ("Mills-I"). Claims 35 to 38 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux and non patent literature cited in the IDS ("Mills-II"). Claim 39 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Lemieux and U.S Patent No. 5,694,537 ("Montenegro").

It is respectfully submitted the presently pending claims are patentable for at least the following reasons.

In Lemieux, a star network type topology is provided with synchronization information radiating from a centralized primary reference source. A global positioning system (GPS) is provided at each node in the network. Lemieux, column 1, lines 53 to 56. In the event the global positioning system primary reference source fails, the primary reference source for the network synchronization system is changed to a local clock within a mobile switching center. Lemieux, column 1, lines 61 to 65.

Claims 25 and 53 of the present application recite "a plurality of first time sources associated with a first measuring computer" and "selecting, using the first measuring computer, a third time source of the plurality of first time sources as a function of an accuracy of the third time source." In contrast, Lemieux merely describes a switching center 14 having a GPS receiver 54 connected over a link 58 to supply time/date information and geo-coordinate information to a processing functionalities of the mobile switching center. Lemieux, column 4, lines 24 to 30. In the event the global positioning system primary reference source fails, the primary reference source for the network synchronization system is changed to a local clock 40 within the mobile switching center. Lemieux, column 1, lines 61 to 65 and column 4, lines 31 to 45. Lemieux does not select local clock 40 as a function of the accuracy of the clock. Indeed, nowhere does Lemieux teach or suggest a plurality of first time sources associated with a first measuring computer and selecting, using the first computer, a third time source of the plurality of first time sources *as a function of an accuracy of the third time source*. Read, Bertheaud, Mills-

I, Mills-II and Montenegro are not relied on for disclosing these features of claims 25 and 53. Indeed, it is respectfully submitted that Read, Bertheaud, Mills-I, Mills-II and Montenegro, whether taken alone or in combination, do not teach or suggest at least these features of claims 25 and 53. Because Lemieux, Read, Bertheaud, Mills-I, Mills-II and Montenegro, whether taken alone or in combination, do not teach or suggest at least the features of a plurality of first time sources associated with a first measuring computer and selecting, using the first computer, a third time source of the plurality of first time sources as a function of an accuracy of the third time source, as recited in claims 25 and 53, it respectfully submitted that these references, whether taken alone or in combination, could not anticipate or render obvious claims 25 and 53, or any of their dependent claims. Accordingly, withdrawal of the rejections of claims 25 to 49 and 51 to 60 under 35 U.S.C. §§ 102(b) and 103(a) is respectfully requested.

**Allowable Subject Matter**

Applicants note with appreciation the indication of allowable subject matter contained in claim 50. For at least the reasons set forth above, Applicants respectfully submit that claim 50 is in condition for immediate allowance.

## CONCLUSION

In view of the foregoing it is believed that the presently pending claims are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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